

Message

From: Hurlid, Kathy [Hurlid.Kathy@epa.gov]
Sent: 5/15/2019 2:04:30 PM
To: McDavit, Michael W. [Mcdavit.Michael@epa.gov]; Eisenberg, Mindy [Eisenberg.Mindy@epa.gov]
Subject: FW: Coordinating 404g and mitigation rules
Attachments: MitRule revisions to facilitate assumption.docx

This is what Brittany and I provided to Palmer on a less than 24-hour turn-around. Palmer may be approved to work weekends, but the 404(g) team is not and 24 hours is not reasonable especially if mgt is not going to look at it anytime soon.

If you can get the language that was provided to Russ and Brian that would be helpful too. Thanks, Kathy

-----Original Message-----

From: Hough, Palmer
Sent: Tuesday, May 14, 2019 4:05 PM
To: Hurlid, Kathy <Hurlid.Kathy@epa.gov>
Subject: RE: Coordinating 404g and mitigation rules

Thanks for offering but our issues are not ready for prime time yet.

Also, just want to confirm that the changes I shared with you don't affect your rulemaking in any way. Is that correct?

-----Original Message-----

From: Hurlid, Kathy
Sent: Tuesday, May 14, 2019 10:05 AM
To: Hough, Palmer <Hough.Palmer@epa.gov>
Subject: Re: Coordinating 404g and mitigation rules

Yes, I understand, I am trying to move my rule forward and am offering this opportunity to share the language.

Sent from my iPhone

> On May 14, 2019, at 10:02 AM, Hough, Palmer <Hough.Palmer@epa.gov> wrote:

>

> Kathy

>

> As I indicated to you before, the MitRule language that I shared with you regarding assumption issues has not been shared with the Corps, it just came out of our EPA-only workgroup and I just provided it to Russ and Brian last week for their first review. It is not ready to be shared with the Corps at this time as it has not had any management review yet (which explains why Mindy and Mike are not aware of the status or plans for that particularly language).

>

> -Palmer

>

> -----Original Message-----

> From: Hurlid, Kathy
> Sent: Tuesday, May 14, 2019 9:57 AM
> To: Frazer, Brian <Frazer.Brian@epa.gov>
> Cc: Hough, Palmer <Hough.Palmer@epa.gov>
> Subject: Coordinating 404g and mitigation rules

>

>

> Brian,

>

> Mindy and Mike say they are unaware of the status or plans for the draft language Palmer has crafted for the mitigation rule regarding assumed 404g programs.

>

> I will send my comments to them again; however, has this language been shared with USACE or army? Can/should we use our meeting next week with them on the 404g rule to propose it?

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> I am concerned that this go forward in a timely and coordinated manner for both rules as we do not want to wait for the mitigation rule to be finalized before finalizing the 404g rule. or do we?

>

> Thanks, Kathy

> Sent from my iPhone